REMARKS

This Amendment is filed in response to the Office Action mailed on November 17, 2004. All objections and rejections are respectfully traversed.

Claims 1-34 are in the case.

Claims 6, 9, and 34 were amended to better claim the invention.

No New claims were added.

At Paragraph 1 of the Office Action the Abstract was objected to because it contains too many words. A new Abstract was substituted for the old Abstract, and the new Abstract is believed to contain 141 words (according to the Microsoft Word, File>Properties>statistics command).

At Paragraph 2 of the Office Action, claims 9 and 34 were rejected under 35 U.S.C. 112, second paragraph. Amendment of claim 9 and claim 34 is believed to satisfy this rejection.

At Paragraph 3 of the Office Action claims 1, 5, 7, 9-12, 16, 19, 24-27, and 30-31

were rejected under 35 U.S.C. 102 (e) as being anticipated by Orr issued on February 13,

2001 (hereinafter Orr).

Applicant's claimed novel invention, as set out in representative claim 1, com-

prises, in part:

1. A file server system for a computer having a processor, a memory cou-
pled to the processor, and a system bus to which the processor and mem-
ory are coupled, the computer being configured to implement a file sys-
tem, the file server system comprising:
    (A) a storage operating system adapted to be executed by the
processor;
    *(B) a removable nonvolatile memory device coupled to the sys-
tem bus, the removable nonvolatile memory device containing diagnos-
tics code for the system; and*
    *(C) a set of boot instructions resident in the filer server system
including instructions for executing a normal boot routine upon a
power-on of the system, and including instructions enabling the proces-
sor to identify the removable nonvolatile memory device and to load the
diagnostics code into the memory in response to a command to execute a
diagnostics boot routine instead of the normal boot routine.*

Orr discloses a computer system which has diagnostic code stored in a non-

volatile memory permanently mounted in his computer. Orr can set a flag using a remote

computer, so that when the computer system boots it checks the flag, and if the flag is set,

the diagnostic code is run from Orr's permanently mounted non-volatile memory.

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Applicant respectfully urges that Orr has no disclosure of Applicant's claimed novel *(B) a removable nonvolatile memory device coupled to the system bus, the removable nonvolatile memory device containing diagnostics code for the system; and*

(C) a set of boot instructions resident in the filer server system including instructions for executing a normal boot routine upon a power-on of the system, and including instructions enabling the processor to identify the removable nonvolatile memory device and to load the diagnostics code into the memory in response to a command to execute a diagnostics boot routine instead of the normal boot routine.

That is, Orr has no disclosure of Applicant's claimed *a removable nonvolatile memory device coupled to the system bus, the removable nonvolatile memory device containing diagnostics code for the system.* Further, Orr has no disclosure of Applicant's claimed *a set of boot instructions resident in the filer server system including instructions for executing a normal boot routine upon a power-on of the system, and including instructions enabling the processor to identify the removable nonvolatile memory device and to load the diagnostics code into the memory in response to a command to execute a diagnostics boot routine instead of the normal boot routine.*

Orr simply has a permanent, non removable, non-volatile memory for holding diagnostic code. In sharp contrast, Applicant claims *a removable nonvolatile memory device . . . containing diagnostics code for the system.*

Accordingly, Applicant respectfully urges that Orr is legally precluded from anticipating Applicant's claimed novel invention because of the absence from Orr of any disclosure of Applicant's claimed novel   *(B) a removable nonvolatile memory device coupled to the system bus, the removable nonvolatile memory device containing diagnostics code for the system; and*

(C) a set of boot instructions resident in the filer server system including instructions for executing a normal boot routine upon a power-on of the system, and including instructions enabling the processor to identify the removable nonvolatile memory device and to load the diagnostics code into the memory in response to a command to execute a diagnostics boot routine instead of the normal boot routine.

At Paragraph 4 of the Office Action Claims 2-4, 8, 13-15, 17-18, 20-23, 28-29, and 32-33 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Orr in view of Aguilar et al. U. S. Patent no 6,785,807 issued August 31, 2004 (hereinafter Aguilar).

Applicant respectfully notes that Claims 2-4, 8, 13-15, 17-18, 20-23, 28-29, and 32-33 are all dependent claims, and that they are dependent from independent claims

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which are believed to be in condition for allowance. Accordingly Claims 2-4, 8, 13-15, 17-18, 20-23, 28-29, and 32-33 are believed to be in condition for allowance.

At Paragraph 5 of the Office Action, Claim 6 was indicated to be allowable if written in independent form. Amendment of claim 6 is believed to satisfy this objection.

All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims, and therefore in condition for allowance.

Favorable action is respectfully solicited.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

A. Sidney Johnston
Reg. No. 29,548
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210-2414
(617) 951-2500

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